

**Exhibit A**

**Administrative Record**

**§q(3)**

## Article 7 I Industrial Districts

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### 2-700 Specific Purposes

In addition to the general purposes listed in Article 1, "Title, Components and Purposes," the specific purposes of the industrial district regulations are to:

- A. Provide appropriately located areas consistent with the General Plan for a broad range of manufacturing, distribution and storage, and service uses.
- B. Strengthen the City's economic base, and provide employment opportunities close to home for residents of the City and surrounding communities.

- C. Provide a suitable environment for various types of industrial uses, and protect them from the adverse impacts of inharmonious uses.
- D. Encourage adaptive reuse of existing industrial buildings.
- E. Ensure high quality site and building design for new or reused buildings, and that the appearance and effects of industrial uses are compatible with the character of the area in which they are located.
- F. Minimize the impact of industrial uses on adjacent residential districts.
- G. Ensure the provision of adequate off-street parking and loading facilities.

The additional purposes of each I district are as follows:

IL Industrial Limited District. To provide areas appropriate for a wide range of (1) low- to moderate- intensity industrial uses capable of being located adjacent to residential areas through provision of adequate buffering and attenuation measures and; (2) commercial services and light manufacturing, and to protect these areas, to the extent feasible, from disruption and competition for space from unrelated retail or commercial uses or general industrial uses. Conversion of buildings and sites to general office use is not permitted.

IG Industrial General District. To provide and protect existing industrial sites and allow for continued operation of existing general industry, subject to performance standards and buffering requirements to minimize potential environmental impacts. Certain types of retail sales are permitted under specified limitations.

IP Industrial Park District. To provide and protect industrial lands for the development in a landscaped setting of communities of high technology, research and development facilities, limited industrial activities (including production and assembly but not raw materials processing or bulk handling), small-scale warehousing and distribution, industrial office centers, certain types of specified retail sales, and related uses.

## **2-702 Reserved**

## Use Regulations

### **2-704 IL District – Use Regulations**

(In the 'S' Overlay District, permitted uses may require a Conditional Use Permit if not regional retail, new auto sales, or other compatible regional market use.)

#### **A. IL District – Permitted Uses.**

The following uses are allowed in the IL District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment Activities, when in conjunction with a permitted use.
2. Adult-Oriented Business. (Subject to the requirements and limitations prescribed in Section 4-1683: Adult-Oriented Business Regulations.)
3. Ambulance Services. (If the proposed use is located within one thousand (1,000) feet of either an R District or the boundaries of a site occupied by a public or private school or park and recreation facility, a use permit shall be required.)
4. Animal Hospitals.
5. Artists' Studios.
6. Building Materials and Services. (Permitted if the proposed use is within an enclosed structure. A use permit is required for outdoor yard/storage.)
7. Business Services.
8. Business and Trade Schools.
9. Catering Services.
10. Communications Facilities.
11. Equipment Sales.
12. Food Processing, Limited.
13. Health and Fitness Centers.
14. Home Improvement and Interior Decoration.
15. Industry, Custom.
16. Industry, Limited.
17. Industry, Research, and Development.
18. Laboratories.
19. Maintenance and Repair Services.
20. Marine Sales and Services.
21. Medical Supply Stores.
22. Nurseries.
23. Offices, Business, and Professional. (Note: The conversion of an industrial use to an office use is subject to the minimum off-street parking requirements of Section 4-1704; as prescribed of use by subsections 4-1702.A.1 & 2)
24. Parcel Processing and Shipping Centers. (If the proposed use is to occupy thirty thousand (30,000) square feet or more, in a building

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- constructed after August 15, 2001, Administrative Review is required, per Subsection C.2 below.)
25. Pre-existing residential uses. (These residential uses shall be allowed to remain and shall not be considered non-conforming, but no new uses shall be established.)
  26. Research and Development Services.
  27. Telecommunications Antennae and/or Alternative Tower Structures up to thirty-five (35) feet in height. [See Section 4-1686: Wireless Telecommunication Facilities {as per Ordinance No. 98-009}].
  28. Utilities, Minor.
  29. Vehicle/Heavy Equipment Dealers, New.
  30. Warehouse – Storage Facilities. (If the proposed use will occupy a building constructed after August 15, 2001, or an existing building will be expanded ten thousand (10,000) square feet to accommodate this use, a use permit is required, per Subsection B.32 below.)
  31. Warehouse - Wholesale/Retail Distribution Facilities.

**B. IL District – Conditionally Permitted Uses.**

The following uses are allowed in the IL District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses when in conjunction with a conditional use.
2. Automobile Parts Sales.
3. Bars.
4. Cafés.
5. Commercial Recreation.
6. Corporation Yards.
7. Day Care, General.
8. Drive-up Facilities.
9. Emergency Health Care.
10. Entertainment Activities. (Entertainment Activities, when provided either as a primary use or as an accessory use to permitted and conditionally permitted uses, require use permit approval.)
11. Farmers' Market.
12. Fast Food Establishments, Large Scale.
13. Fast Food Establishments, Small Scale.
14. Financial Institutions, Retail.
15. Food Processing, General.
16. Furniture, Electronics and Appliance Sales.
17. Industry, Hazardous Materials or Hazardous Waste. (Provided that the use is consistent with the Alameda County Hazardous Waste Management Plan and the San Leandro General Plan.)
18. Massage Therapy.
19. Public Safety Facilities.

- 20. Public Storage.
- 21. Recycling Facilities, Large Collection. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- 19. Recycling Facilities, Light Processing. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- 20. Restaurants, Full-Service.
- 21. Retail Sales, Big Box.
- 22. Service Stations.
- 23. Small Scale Transfer and Storage Facilities for Hazardous Waste. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- 24. Utilities, Major.
- 25. Vehicle/Equipment Repair, General.
- 26. Vehicle Equipment Repair, Limited.
- 27. Vehicle/Heavy Equipment Dealers, Used.
- 28. Vehicle/Heavy Equipment Rentals.
- 29. Vehicle Storage.
- 32. Warehouse – Storage Facilities. (A use permit is required if the proposed use will occupy a building constructed after August 15, 2001, or an existing building will be expanded ten thousand (10,000) square feet to accommodate this use.)

C. IL District – Uses Requiring Administrative Review.

The following uses are allowed in the IL District, subject to the approval of a Zoning Permit by the Zoning Enforcement Official, as per the requirements of Article 21.

- 1. Automatic Teller Machines.
- 2. Parcel Processing and Shipping Centers. (Administrative Review is required to occupy thirty thousand (30,000) square feet or more, in a building constructed after August 15, 2001. Standards for review are specified in Section 2-726.G.)
- 3. Parking Lot.
- 4. Recycling Facilities, Bulk Reverse Vending Machines. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- 5. Recycling Facilities, Single-Feed Reverse Vending Machines. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- 6. Telecommunications Tower, exceeding thirty-five (35) feet in height. [See Section 4-1686: Wireless Telecommunication Facilities {as per Ordinance No. 98-009}].

**D. IL District – Temporary Uses Requiring Administrative Review.**

The following temporary uses are allowed in the IL District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Christmas Tree and Pumpkin Sales.
2. Commercial Filming.
3. Trade Fairs.

**2-706 IG District – Use Regulations****A. IG District – Permitted Uses.**

The following uses are allowed in the IG District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

(In the 'S' Overlay District, permitted uses may require a Conditional Use Permit if not regional retail, new auto sales, or other compatible regional market use.)

1. Accessory uses, other than Entertainment Activities, when in conjunction with a permitted use.
2. Adult-Oriented Business. (Subject to the requirements and limitations prescribed in Section 4-1683: Adult-Oriented Business Regulations.)
3. Ambulance Services. (If the proposed use is located within one thousand (1,000) feet of either an R District or the boundaries of a site occupied by a public or private school or park and recreation facility, a use permit shall be required.)
4. Artists' Studios.
5. Automobile Parts Sales.
6. Building Materials and Services. (Permitted if the proposed use is within an enclosed structure. A use permit is required for outdoor yard/storage.)
7. Business Services.
8. Business and Trade Schools.
9. Catering Services.
10. Communications Facilities.
11. Emergency Health Care.
12. Equipment Sales.
13. Food Processing, General.
14. Food Processing, Limited.
15. Health and Fitness Centers.
16. Home Improvement and Interior Decoration.
17. Industry, Custom.
18. Industry, General.
19. Industry, Limited.
20. Industry, Research and Development.

21. Laboratories.
22. Maintenance and Repair Services.
23. Marine Sales and Services.
24. Medical Supply Stores.
25. Nurseries.
26. Offices, Business and Professional.
27. Parcel Processing and Shipping Centers. (If the proposed use is to occupy thirty thousand (30,000) square feet or more, in a building constructed after August 15, 2001, Administrative Review is required, per subsection C.2 below.)
28. Pre-existing residential uses. (These residential uses shall be allowed to remain and shall not be considered nonconforming uses, but no new uses shall be established.)
29. Research and Development Services.
30. Retail Sales, Big Box.
31. Telecommunications Antennae and/or Alternative Tower Structures up to sixty (60) feet in height. [See Section 4-1686: Wireless Telecommunication Facilities {as per Ordinance No. 98-009}].
32. Utilities, Minor.
33. Vehicle/Heavy Equipment Dealers, New.
34. Warehouse – Storage Facilities. (If the proposed use will occupy a building constructed after August 15, 2001, or an existing building will be expanded ten thousand (10,000) square feet to accommodate this use, a use permit is required, per Subsection B.32 below.)
35. Warehouse - Wholesale/Retail Distribution Facilities.

**B. IG District – Conditionally Permitted Uses.**

The following uses are allowed in the IG District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses when in conjunction with a conditional use.
2. Bars.
3. Cafés.
4. Corporation Yards.
5. Day Care, General.
6. Drive-up Facilities.
7. Entertainment Activities. (Entertainment Activities, when provided either as a primary use or as an accessory use to permitted and conditionally permitted uses, require use permit approval).
8. Farmers' Market.
9. Fast Food Establishments, Large Scale.
10. Fast Food Establishments, Small Scale.
11. Financial Institutions, Retail.
12. Furniture, Electronics and Appliance Sales.
13. Industrial Transfer/Storage/Treatment Facilities for Hazardous Waste.



14. Industry, Hazardous Materials or Hazardous Waste. (Provided that the use is consistent with the Alameda County Hazardous Waste Management Plan and the San Leandro General Plan.)
15. Massage Therapy.
16. Public Safety Facilities.
17. Public Storage.
18. Recycling Facilities, Heavy Processing. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
19. Recycling Facilities, Large Collection. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
20. Recycling Facilities, Light Processing. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
21. Residuals Repositories for Hazardous Waste.
22. Restaurants, Full-Service.
23. Service Stations.
24. Small-Scale Transfer and Storage Facilities for Hazardous Waste. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
25. Transfer Stations.
26. Trucking Terminals.
27. Utilities, Major.
28. Vehicle/Equipment Repair, General.
29. Vehicle Equipment Repair, Limited.
30. Vehicle/Heavy Equipment Dealers, Used.
31. Vehicle/Heavy Equipment Rentals.
32. Vehicle Storage.
33. Warehouse - Storage Facilities. (A use permit is required if the proposed use will occupy a building constructed after August 15, 2001, or an existing building will be expanded ten thousand (10,000) square feet to accommodate this use.)

C. IG District – Uses Requiring Administrative Review.

The following uses are allowed in the IG District, subject to the approval of a Zoning Permit by the Zoning Enforcement Official, as per the requirements of Article 21.

1. Automatic Teller Machines.
2. Parcel Processing and Shipping Centers. (Administrative Review is required to occupy thirty thousand (30,000) square feet or more, in a building constructed after August 15, 2001. Standards for review are specified in Section 2-726.G.)
3. Parking Lot.
4. Recycling Facilities, Bulk Reverse Vending Machines. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
5. Recycling Facilities, Single-Feed Reverse Vending Machines. (Subject to the regulations of Section 4-1646: Recycling Facilities.)

6. Telecommunications Tower, exceeding sixty (60) in height. [See Section 4-1686: Wireless Telecommunication Facilities {as per Ordinance No. 98-009}].

D. IG District – Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the IG District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Animal Shows.
2. Christmas Tree and Pumpkin Sales.
3. Commercial Filming.
4. Trade Fairs.

## 2-708 IP District – Use Regulations

A. IP District – Permitted Uses.

The following uses are allowed in the IP District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

(In the 'S' Overlay District, permitted uses may require a Conditional Use Permit if not regional retail, new auto sales, or other compatible regional market use.)

1. Accessory uses, other than Entertainment Activities, when in conjunction with a permitted use.
2. Adult-Oriented Business. (Subject to the requirements and limitations prescribed in Section 4-1683: Adult-Oriented Business Regulations.)
3. Ambulance Services. (If the proposed use is located within one thousand (1,000) feet of either an R District or the boundaries of a site occupied by a public or private school or park and recreation facility, a use permit shall be required.)
4. Building Materials and Services. (Permitted if the proposed use is within an enclosed structure.)
5. Business Services.
6. Business and Trade Schools.
7. Communication Facilities.
8. Equipment Sales.
9. Food Processing, Limited.
10. Financial Institutions, Retail.
11. Health and Fitness Centers.
12. Home Improvement and Interior Decoration.
13. Industry, Custom.
14. Industry, Limited.
15. Industry, Research and Development.
16. Laboratories.

17. Maintenance and Repair Services.
18. Medical Supply Stores.
19. Offices, Business and Professional. (The conversion of an industrial use to an office use is subject to the minimum off-street parking requirements of Section 4-1704; as prescribed for changes of use by subsections 4-1702.A.1 and 2.)
20. Parcel Processing and Shipping Centers. (If the proposed use is to occupy thirty thousand (30,000) square feet or more, in a building constructed after August 15, 2001, Administrative Review is required, per subsection C.2 below.)
21. Park and Recreational Facilities.
22. Pre-existing Residential Uses. (These residential uses shall be allowed to remain and shall not be considered nonconforming uses, but no new uses shall be established.)
23. Research and Development Services.
24. Retail Sales, Big Box.
25. Retail Services. (As a secondary use in a building.)
26. Telecommunications Antennae and/or Alternative Tower Structures up to thirty-five (35) feet in height. [See Section 4-1686: Wireless Telecommunication Facilities {as per Ordinance No. 98-009}].
27. Utilities, Minor.
28. Vehicle/Heavy Equipment Dealers, New.
29. Warehouse – Storage Facilities. (If the proposed use will occupy a building constructed after August 15, 2001, or an existing building will be expanded ten thousand (10,000) square feet to accommodate this use, a use permit is required, per Subsection B.22 below.)
30. Warehouse - Wholesale/Retail Distribution Facilities. (Permitted if the proposed use is within an enclosed structure.)

**B. IP District – Conditionally Permitted Uses.**

The following uses are allowed in the IP District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses when in conjunction with a conditional use.
2. Automobile Parts Sales.
3. Bars.
4. Cafés.
5. Commercial Recreation.
6. Day Care, General.
7. Drive-up Facilities.
8. Emergency Health Care.
9. Entertainment Activities. (Entertainment Activities, when provided either as a primary use or as an accessory use to permitted and conditionally permitted uses, require use permit approval.)

10. Farmers' Market.
11. Fast Food Establishments, Large Scale.
12. Fast Food Establishments, Small Scale.
13. Food Processing, General.
14. Furniture, Electronics, and Appliance Sales.
15. Industry, General.
16. Industry, Hazardous Materials, or Hazardous Waste. (Provided that the use is consistent with the Alameda County Hazardous Waste Management Plan and the San Leandro General Plan.)
17. Massage Therapy.
18. Public Safety Facilities.
19. Restaurants, Full-Service.
20. Service Stations.
21. Utilities, Major.
22. Vehicle/Heavy Equipment Dealers, Used.
23. Warehouse - Storage Facilities. (A use permit is required if the proposed use will occupy a building constructed after August 15, 2001, or an existing building will be expanded ten thousand (10,000) square feet to accommodate this use.)

C. IP District – Uses Requiring Administrative Review.

The following uses are allowed in the IP District, subject to the approval of a Zoning Permit by the Zoning Enforcement Official, as per the requirements of Article 21.

1. Automatic Teller Machines.
2. Parcel Processing and Shipping Centers. (Administrative Review is required to occupy thirty thousand (30,000) square feet or more, in a building constructed after August 15, 2001. Standards for review are specified in Section 2-726.G.)
3. Parking Lot.
4. Recycling Facilities, Bulk Reverse Vending Machines. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
5. Recycling Facilities, Single-Feed Reverse Vending Machines. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
6. Telecommunications Tower, exceeding thirty-five (35) feet in height. [See Section 4-1686: Wireless Telecommunication Facilities {as per Ordinance No. 98-009}].

D. IP District – Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the IP District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Commercial Filming.

2. Storage Containers, Temporary.
3. Trade Fairs.

**2-710 Reserved**

**2-712 Reserved**

**2-714 Reserved**

**2-716 Reserved**

**2-718 Reserved**

**2-720 Reserved**

**2-722 Reserved**

**2-724 Reserved**

**2-726 Additional Use Restrictions: IL, IG, and IP Districts**

In addition to the uses listed above, the following regulations shall apply:

- A. Relocated Structures. A use permit shall be required for any commercial use, residential use, day care, animal hospital, or industrial use occupying relocated structures. (See Section 4-1648.)
- B. Fast Food Restaurants shall be subject to the regulations in Section 4-1630.
- C. Service Stations and Automobile Washing is subject to the regulations in Sections 4-1634 and 4-1644.
- D. Industrial Uses are subject to the regulations in Section 4-1636.
- E. Temporary Uses shall be subject to the regulations in Section 5-2222.
- F. Commercial and Accessory Uses shall be subject to the regulations of 4-1676.
- G. Parcel Processing and Shipping Centers are subject to Administrative Review in order to occupy thirty thousand (30,000) square feet or more, in a building constructed after August 15, 2001. Zoning Permit review pursuant to Article 21 shall include a review of the proposal's trip generation, potential circulation, and noise generation impacts. Additional information, including but not limited to a traffic study, may be required. The standard for approval

is the Zoning Enforcement Official's ability to make the findings required as listed below:

1. That the proposed location of the Parcel Processing and Shipping Center is in accord with the objectives of this code and the purposes of the I District in which the site is located;
2. That the proposed location of the Parcel Processing and Shipping Center and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety, or welfare of persons residing, or working in, or adjacent to, the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity, or to the general welfare of the City;
3. That the proposed Parcel Processing and Shipping Center will comply with the provisions of this Code, including any specific condition required for the proposal in the District in which it would be located; and
4. That the proposed Parcel Processing and Shipping Center will not create adverse impacts on traffic or create demands exceeding the capacity of public services and facilities, which cannot be mitigated.

### **Development Regulations**

#### **2-728 Property Development Regulations: IL, IG, and IP Districts**

The following sections set forth the property development regulations of the IL, IG, and IP Districts.

#### **2-730 Minimum Lot Area and Minimum Lot Width**

	<u>Minimum Lot Area</u> (square feet)	<u>Minimum Lot Width</u> (feet)
IL	5,000	50
IG	5,000	50
IP	7,500	50

Section 4-1650: Development on Substandard Lots shall apply to substandard lots. Smaller lot dimensions may be permitted with an approved development plan and tentative subdivision map.

**2-732 Minimum Yards**

- A. Minimum Building Setback and Landscaping. The minimum yard setback for building placement, and minimum area required as a landscaped yard, is as proscribed below. Additional building setback and landscape requirements may also apply as specified in Subsections B, C and D.

	<u>Front (feet)</u>	<u>Side (feet)</u>	<u>Corner Side (feet)</u>	<u>Rear (feet)</u>
IL	10	0	10	0
IG	10	0	10	0
IP	20	0	20	0

B. Minimum Yard Setbacks, Additional Regulations:

1. Front, side, corner side, and rear yards shall be subject to the regulations of Section 4-1654: Building Projections into Yards and Courts.
2. Double-frontage lots shall provide the minimum front yards setback on each frontage.
3. The setback of an adjacent R, C, or P district applies if within one hundred (100) feet.
4. The areas within a minimum required front and corner side yard shall be landscaped, excepting limited areas for driveways and walks, and prescribed by Article 19: Landscape Requirements.
5. The maximum allowable height of a fence or wall in minimum yards required by this Section is three (3) feet.

- C. Additional Setback Requirement for Properties on Doolittle Drive. The minimum required front and corner side yard is twenty (20) feet. As part of the approval of a Site Development Plan pursuant to Chapter 25, a setback of less than twenty (20) feet, but not less than ten (10) feet, may be permitted if a twenty (20) foot setback is not practical due to pre-existing site constraints and substantial landscaping is provided to mitigate the reduced yard setback.

- D. Additional Setback Requirement for Buildings Over Twenty (20) Feet in Height (IL and IG Districts). For buildings over twenty (20) feet but not over forty (40) feet in height, the minimum required front and corner side yard of ten (10) feet shall be increased by one (1) foot for each additional two (2)



feet of building height in excess of twenty (20) feet. For buildings over forty (40) feet in height, the minimum required yard is twenty (20) feet. As part of the approval of a Site Plan pursuant to Chapter 25, a setback of less than twenty (20) feet but not less than ten (10) feet, may be permitted if a twenty (20) foot setback is not practical due to pre-existing site constraints and substantial landscaping is provided to mitigate the reduced yard setback.

## 2-734 Maximum Height of Structures

- A. Maximum Height. The maximum height of structures shall be as prescribed below. Additional height regulations may also apply as specified in Subsection B and C:

	<u>Height (feet)</u>
IL	35
IG	35
IP	35

- B. Additional Height limitations for Buildings within One Hundred (100) Feet of an R District. The allowed height within one hundred (100) feet of an R District building shall be limited to twenty five (25) feet.
- C. Height Limit May Be Adjusted. A maximum building height of fifty (50) feet in the IL and IG Districts may be approved by the Zoning Enforcement Official. [The allowed height within one hundred (100) feet of an IP District building shall be limited to thirty five (35) feet.]

## 2-736 Maximum Lot Coverage and Maximum FAR

	<u>Maximum Lot Coverage</u>	<u>Maximum FAR</u>
IL	75%	1.0
IG	75%	1.0
IP	40%	0.8

## 2-738 Minimum Site Landscaping

- A. General Landscape Requirements. In addition to the general Landscape Requirements prescribed in Article 19, the following requirements for minimum site landscaping apply to all property within any I District. As part of the Site Plan Approval process pursuant to Article 25, exceptions to the stated requirements for “minimum site landscaping” may be permitted in



cases where such standards are found not to be practical due to pre-existing site constraints.

- B. Minimum Site Landscaping. The minimum percentage of the site that shall be used for landscaping shall be as prescribed below:

Minimum Site Landscaping

IL	5%
IG	5%
IP	15%

## 2-740 **Parcels Adjoining Residential Districts – Additional Development Regulations for New Construction**

- A. Intent. The purpose of this section is to reduce the potential negative impacts of expanding industrial activities to the residents within adjoining Residential Districts by establishing heightened screening and site development standards for new and expanded projects.
- B. Applicability. The requirements of this Section apply to construction and/or activities within two hundred (200) feet from the edge of a Residential District. The requirements of this Section do not apply to industrial parcels that are separated from a Residential District by either an active mainline railroad right-of-way or Interstate 880.
- C. Development Requirements. Notwithstanding the minimum yard and landscape requirements for property within the IL, IG and IP Districts, the following additional development standards shall apply:
1. Orientation of Truck and Storage Facilities. The sound, traffic and visual impacts of truck facilities, such as new or expanded truck bays and docks, and truck staging/storage yards, shall be minimized by such design features as building placement, sound walls, and/or landscaping. Truck facilities shall be oriented and/or screened as to provide the greatest possible physical and/or visual separation between the truck facility and the residences.
    - a. Certain New Facilities Require Site Plan Approval: Per Section 5-2502.B.4.d, the creation of, or addition to, any substantial outdoor storage area or truck loading bays that would be visible from off-site require Site Plan Approval as prescribed in Article 25.
  2. Required Installation of Mitigating Features for New Truck Docks: When new truck docks are built, or unused truck docks that have been “glassed in” by previous tenants/users are to be newly used,

the following mitigating features are to be installed, and shall be made a requirement of Building Permit approval:

- a. Rubber Loading Bay Bumpers shall be installed on all new and newly used truck dock bays.
  - b. Notification signage, advising employees and truck operators that the subject establishment is adjacent to residences, and that as a courtesy to neighbors, noise from shipping and trucking activity should be kept to a minimum, shall be placed in the truck staging area.
3. Attenuation of Noise Generating Equipment: Noise generating equipment, such as generators, HVAC units, and garbage facilities, shall be located and/or structurally screened, or enclosed, as to minimize impacts on adjacent residents. Prior to issuance of a building permit or electrical permit for the installation of such equipment, the Zoning Enforcement Official may require that the applicant/owner provide a noise study by an acoustical engineer and may impose conditions to reduce noise impacts.
- a. Adjustments to Attenuation Requirements for Emergency Generators. The Zoning Enforcement Official, in reviewing a request for a building or electrical permit for the installation of an emergency generator (such as one to be used during temporary power outages or in similar limited use situations), may adjust or reduce the requirements for noise attenuation to correspond to the duration, frequency or intensity that the generator is to operate.
4. Required Separation/Mitigation Adjacent to Residential Parcel: Either a landscaped buffer and/or a masonry wall shall be provided along rear and side property lines, which are adjacent to residential parcels, as required as part of an approved Site Development Plan per Article 25.
- a. Option of Yard Setback. In cases where a building would otherwise be permitted with no rear or side yard setback, a minimum side and/or rear yard of ten (10) feet shall be provided, which shall be used exclusively for the planting of a landscape screen. Evergreen trees with spacing not to exceed twenty (20) feet, and of a minimum fifteen (15) gallon size, shall be provided within the required yard. Tree selection shall provide for a near total screen, up to a height of twenty (20) feet within five (5) years from planting. Such landscaping shall be permanently maintained.

- b. Option of Masonry Wall. A minimum eight (8) foot high wall shall be provided adjacent to residential parcels, as required by Section 4-1642, or as high as required by acoustical analysis (to be provided by applicant), when a vacant industrial parcel is developed or an existing use is expanded so as to significantly increase the potential for additional traffic and/or noise impacts to the residential areas. A wall will typically be required whenever an active service, staging and/or storage yard is immediately adjacent to a residential parcel.

## 2-741 Parcels Adjoining Residential Districts – Additional Performance Standards

- A. Intent. The purpose of this section is to reduce the potential noise impacts to the residents within adjoining Residential Districts, from late night/early morning activity, by establishing performance standards for all businesses.
- B. Applicability. The requirements of this Section apply to activities within two hundred (200) feet from the edge of a Residential District. The requirements of this Section do not apply to industrial parcels that are separated from a Residential District by either an active mainline railroad right-of-way or Interstate 880.
- C. Performance Standards for Loading and Shipping Activity. To reduce impacts on adjoining residents, those uses conducting loading and shipping activity between the hours of 10:00 p.m. and 7:00 a.m. shall avoid generating extraneous noise that can be heard by adjoining residents (e.g. loud conversations, playing of recorded music and/or radio broadcasts, or motorized noises from prolonged use of equipment or vehicles).
- D. Adjoining Residents May File Complaint Against Industrial Businesses. Residents may file a written complaint against businesses that are alleged to be in violation of the performance standards outlined in Subsection C, above. If the Zoning Enforcement Official determines that the business is in violation, written notification of the violation shall be given to the violator and the complaining party. Determination of a violation, and/or resolution of continuing violations once notification has been made, may be subject to a hearing of the Site Development Sub-Commission. Failure to conform to the requirements of the Sub-Commission hearing may be cited as a violation of this code, pursuant to Section 5-2908.

**2-742 Additional Property Development Regulations: IL, IG, and IP Districts**

In addition to the development regulations listed above, the following regulations shall apply:

- A. Fences, Walls, and Hedges shall be subject to the regulations of Section 4-1682: Fences, Walls, and Hedges.
- B. Off-Street Parking and Loading shall be subject to the regulations of Article 17: Off-Street Parking and Loading Regulations.
- C. Signs shall be subject to the regulations of Article 18: Signs.
- D. Outdoor Facilities and Outdoor Storage shall be subject to the regulations of Section 4-1662: Outdoor Facilities and Storage/Loading Facilities and 4-1672: Earth Station and Microwave Equipment. All outdoor storage and refuse storage areas shall be maintained in a neat and orderly manner and screened so as not to be visible from any street, public way, or R district.
- E. Screening of Mechanical Equipment shall be subject to the regulations of Section 4-1664: Screening of Mechanical Equipment and 4-1672: Earth Station and Microwave equipment.
- F. Refuse Storage Areas shall be subject to the regulations of Section 4-1666: Refuse Storage Areas. All outdoor storage and refuse storage areas shall be maintained in a neat and orderly manner and screened so as not to be visible from any street, public way, or R district.
- G. Underground Utilities shall be subject to the regulations of Section 4-1668: Underground Utilities.
- H. Performance Standards shall be subject to the regulations of Section 4-1670: Performance Standards.
- I. Airport Safety Zones shall be subject to the regulations of Section 4-1676: Airport Safety Zones.
- J. Nonconforming Structures and Nonconforming Signs shall be subject to the regulations of Article 20: Nonconforming Uses and Structures.

**2-744 Review of Plans**

Certain projects shall be subject to Site Plan review (see Article 25: Site Plan Approval).